

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
)	
Jemez Pueblo Tribal Consortium)	CC Docket No. 02-6
In the Schools and Libraries Program)	

REQUEST FOR SERVICE DELIVERY EXTENSION

Jemez Pueblo Tribal Consortium, BEN: 17004952
FCCRN: 0001616184
471: 1699143488

This service delivery deadline waiver request is for FRN: 1699143488, which includes the fiber build to connect tribal schools and libraries on two Pueblo Indian reservations in the rural high desert terrain in New Mexico under the name, Jemez Pueblo Tribal Consortium.

The build was approximately 90% complete upon the June 30, 2018 deadline. Last week, approximately, 140,000' of the 153,492' route was constructed. We can complete the construction by July 20, 2018 with the finishing restoration work planned by August 3, 2018. We ask for an extension until August 31, 2018 fully complete the project, allowing time for contingency. The estimated completed time is based on the footage that needs to be completed. This work could not begin until the NMDOT issued permits for the last 2.6 miles were approved last week, on July 9, 2018. Once the conduit is buried, the final cable placement and splicing can occur for the remainder of the route. The network will then undergo final testing for quality control and hydro re-seeding of the 30-mile route to restore vegetation.

Were the NMDOT permits issued in March and April as they were originally being submitted, the project would have finished five weeks earlier, or by June 30, 2018. The amount of time we need to complete build is equal to the amount of time that the project was shut down. They are directly correlated. Our delay in construction was unavoidable: Our constructor, Kelly Cable of NM was ordered by the New Mexico Department of Transportation (NMDOT) to halt construction until a Level 3 Archaeological Survey was completed by the two tribes for the length of the project. This arose because the Archaeological Records Management System (ARMS) had outdated surveys for the sections of land on which construction was occurring. This construction delay was also unforeseeable, as we've conducted similar projects in New Mexico, and this kind of obstacle has not arisen before. It's not a

standard requirement for tribal projects on tribal land, and the tribes did their due diligence, following state and local rules to provide cultural clearance.

This was a crippling event beyond the consortium and the service provider's control that unavoidably delayed construction. The construction schedule was already abbreviated due other challenges: 1. we received the FCDL to fund the project on the June 30, 2017 (the last day of the funding year). 2. We received approval for the service delivery deadline extension on December 6th, 2017. Reflecting a six (6) month extension as opposed to the one (1) year extension requested. Construction commenced in March, 2018 after the necessary tribal land use resolutions were approved by Tribal Council; however, NMDOT shut down the project from April 18, 2018 to May 23, 2018. As we had already spent over a million dollars and were 60% constructed, we had no choice but to proceed. We re-applied for permits and resumed construction on Friday, June 15. Fortunately, we have a vendor who has brought in dozens of crews from all around New Mexico to help us light the network before June 30 from Albuquerque to the Pueblo of Zia, the distance of about 40 miles. However, two small gaps existed to the furthest endpoint in the Pueblo of Jemez.

Background

The Pueblo of Jemez, located in the central part of the State of New Mexico, is one of 22 Native American tribes in the state. Jemez is a very traditional Pueblo that has maintained its cultural and religious practices. It is the only location on earth that speaks the Towa language, a language that is unwritten. Jemez recognizes that its language is the core of its continual existence as a strong sovereign tribal nation with a unique identity as Jemez people.

In 1999, the Pueblo of Jemez, through its Vision 2010 community sessions, asserted its authority and desire to determine what is most important to the education of its tribal members. With the community's support and strength of the law, the Pueblo of Jemez forged a new path toward becoming the first Tribe in the state of New Mexico to establish two charter schools, San Diego Riverside (K-8) and Walatowa High (9-12), whose emphasis is community and culturally based education. Jemez, in partnership with the Pueblo of Zia, are the only tribes in NM to Administer the Title VI Federal Indian Education Formula Grant program (US Dept. of Education) in lieu of the local school district, thus taking another step toward local control of education in partnership with the district, schools and key stakeholders.

In staying true to this model of collaboration, the Jemez-Zia Pueblo Tribal Consortium was born in 2015 to apply for the 2016 Special Fiber Construction funds through the E-Rate Program of the FCC. Bringing together all the E-Rate eligible entities serving both tribal communities, including: Two tribal libraries, two charter and two BIE Schools, was another first to create a self-provisioned network to bring broadband to a much underserved area. The Jemez-Zia Tribal Consortium was funded on the last day

of the funding year and a waiver requesting a year-long extension was approved on December 6th of 2017, giving the tribes 6 months to complete and light a network. In hindsight, we should have asked for a two-year extension in our FCC waiver request, similar to the two-year extension recently granted to Utah Education and Telehealth Network on May 8, 2018.

We are at the doorstep ready to open a new door of opportunity for our children and their futures, however, we have a small challenge ahead of us, which can be overcome, but we will require your assistance. Please consider our request to our deadline extension request through August 31, 2018. This first of its kind project will bring tremendous benefit to the schools and tribal libraries that it seeks to connect. The table below summarizes the before and after effects of this paradigm changing project.

Before and After Speeds and Cost at Jemez Pueblo						
School/Library Name	Old Speed (Mbps)	New Speed (Mbps)	Faster	Old Cost (Per Mbps)	New Cost (Per Mbps)	Cheaper
Jemez Pueblo Community Library	12	100	833%	\$7.92	\$5.03	37%
Jemez Day School	9	100	1111%	\$283.24	\$5.03	98%
San Diego Riverside Charter School	12	100	833%	\$100.00	\$5.03	95%
Walatowa Charter High School	4.5	100	2222%	\$122.22	\$5.03	96%

Respectfully submitted this 20th day of July, 2018.

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